GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Servants – Higher Education Department – Allegation of Corruption against Sri R. Sambasiva Rao, LLB Seat Clerk, PG II, Section, O/o Controller of Examinations, Acharya Nagarjuna University, Guntur – Trapped on 10.09.2013 - Sanction of Prosecution - Orders – Issued.

HIGHER EDUCATION (VC) DEPARTMENT

G.O.MS.No. 25 **Dated:17-07-2015**

ORDER:

Whereas Sri R. Sambasiva Rao, worked as LLB Seat Clerk, PG II, Section, O/o Controller of Examinations, Acharya Nagarjuna University, Guntur and by virtue of the post held by him, he falls under the category of Public Servant as defined under section 2 (c) of the Prevention of Corruption Act.1988, (Act, 49 of 1988).

2. And whereas the complaint student i.e., Sri B Shyam Kumar, LLB in DSR Hindu College for Law at Machilipatnam, Krishna District submitted a complaint, stating that he has studied LLB in DSR Hindu College for law at Machilipatnam, Krishna District during the period 2005-2008. He completed his final LLB in Oct/Nov 2012 in one time opportunity. In order to enroll his name in the High Court he needed provisional Certificate from the Acharya Nagarjuna University, Guntur. Accordingly he went to the Acharya Nagarjuna University on 13.07.2013 and paid challan for Rs.65/- at SBI, Acharya Nagarjuna University campus for Provisional Certificate. Again he went to the Acharya Nagarjuna University on 21.08.2013 and met the concerned clerk Sri Rapolu Sambasiva Rao (A.O) and applied for Provisional Certificate. Then the A.O., asked the cell number of the complainant to give information about Provisional Certificate. Later the complainant contacted the A.O., over the phone two or three times for his certificate. The A.O., informed the complainant that the Controller of the Examination did not sign on the Certificate and if he wanted the Provisional Certificate immediately he should pay Rs.1500/- to him as bribe. The complainant expressed his inability to pay the amount of Rs.1500/- as bribe. Again on 07.09.2013 he contacted the A.O., who informed that the Certificate was ready and he would call back. On the same day at about 02-15 PM the A.O., made a call to the complainant and demanded Rs.1,500/-. When the complainant asked the A.O., to reduce the same, the A.O., reduced the bribe amount from Rs.1500 to Rs.1000/- and instructed to pay the bribe in the afternoon of 10.09.2013. As the complainant Sri B.Shyam Kumar, LLB in DSR Hindu College for Law at Machilipatnam, Krishna District, was not willing to pay the bribe amount, he

(P.T.O)

submitted a complaint to the D.S.P., A.C.B., Vijayawada, and the same wasregistered as a case in Cr. No. 37/RCT-ACB-VJA/2013 under section 7 of the Prevention of Corruption Act, 1988, (Act, 49 of 1988) on 10.09.2013 at 11.30 hours.

3. And whereas, it is further alleged that, Sri R. Sambasiva Rao, worked as LLB Seat Clerk, PG II, Section, O/o Controller of Examinations, Acharya Nagarjuna University, Guntur demanded and accepted an amount of Rs.1000/- from Sri B Shyam Kumar, LLB in DSR Hindu College for Law at Machilipatnam, as illegal gratification other than legal remuneration at Pariksha Bhavan, 1st floor, PG.II Section, of A.O., at 14.30 hours on 10.09.2013 and was trapped by the ACB Officials of Vijayawada Range.

4. The chemical test conducted over the both hand fingers of Sri R. Sambasiva Rao yielded positive result. The tainted amount of Rs.1,000/- was recovered at the instance of Sri R. Sambasiva Rao, from his possession from the right side office table drawer.

5. And whereas the above said act of Sri R. Sambasiva Rao, LLB Seat Clerk, PG II, Section, O/o Controller of Examinations, Acharya Nagarjuna University, Guntur, constitute an offence punishable under section 7 and 13 (2) read with clause (d) of sub-section (1) of section 13 of the Prevention of Corruption Act 1988, (Act, 49 of 1988).

6. Now, therefore, in exercise of the powers conferred by clause (c) of sub-section (1) of section 19 of the Prevention of Corruption Act 1988, (Act, 49 of 1988) the Government of Andhra Pradesh hereby accord sanction for the prosecution of the said Sri R. Sambasiva Rao, LLB Seat Clerk, PG II, Section, O/o Controller of Examinations, Acharya Nagarjuna University, Guntur, for the offences punishable under section 7 and sub-section (2) of section 13 read with clause (d) of sub-section (1) of section 13 of the Prevention of Corruption Act 1988, (Act, 49 of 1988) and for any other cognate offences punishable under any other provisions of law for the time being in force in respect of the above said acts and for taking cognizance of the said offence by the court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

SUMITA DAWRA
SECRETARY TO GOVERNMENT

To
The Director General, Anti Corruption Bureau,
Andhra Pradesh, Hyderabad.
Copy to; Law (B) Department.